



DOCKET
14366US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Group Art Unit: 3738
GEORGES BAIKOFF) Examiner: David Willse
Serial No.: 09/833,903)
Filed: April 12, 2001)
For: SCLERAL EXPANSION SEGMENT) Mailed: May 14, 2003

#1
13
NE
AL

TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D. C. 20231

RECEIVED

MAY 29 2003

Dear Sir:

TECHNOLOGY CENTER R3700

Petitioner, OPTHALMIC INNOVATIONS INTERNATIONAL, INC.,
is the owner of one hundred percent interest in United States
Patent Application Serial No. 09/833,958.

The petitioner hereby disclaims, except as provided
below, the terminal part of the statutory term of any patent
granted on the instant application, which would extend beyond the
expiration date of the full statutory term defined in 35 U.S.C.
154 to 156 and 173 as shortened by any terminal disclaimer of
prior Patent Application Serial No. 09/833,958. The owner hereby
agrees that any patent so granted on the instant application shall
be enforceable only for and during such period that it and the
prior patent are commonly owned. This agreement runs with any

patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

The undersigned is empowered to act on behalf of the Petitioner.

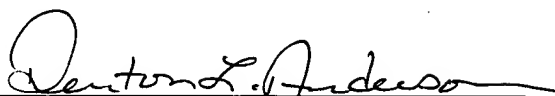
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may

jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

SHELDON & MAK

Dated: May 14, 2003

By: 
Denton L. Anderson
Reg. No. 30,153

225 South Lake Avenue
9th Floor
Pasadena, California 91101
(626) 796-4000